

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|                                       |   |                                  |
|---------------------------------------|---|----------------------------------|
| IN RE: PHILIPS RECALLED CPAP,         | ) |                                  |
| BI-LEVEL PAP, AND MECHANICAL          | ) |                                  |
| VENTILATOR PRODUCTS                   | ) | Master Docket: Misc. No. 21-1230 |
| LITIGATION                            | ) |                                  |
|                                       | ) |                                  |
|                                       | ) | MDL No. 3014                     |
| This Document Relates to: All Actions | ) |                                  |
|                                       | ) |                                  |
|                                       | ) |                                  |
|                                       | ) |                                  |

**ORDER OF COURT**

AND NOW this 7th day of May, 2025, for the reasons set forth on the record and in the related memorandum opinion, it is hereby ORDERED that the amended master third-party complaint (ECF No. 2922) is DISMISSED, without prejudice to Philips' ability to refile, as stated in open court on February 25, 2025.

It is further ORDERED that SoClean's motion to dismiss the amended master third-party complaint (ECF No. 2995) and the motion to dismiss for lack of personal jurisdiction (ECF No. 2997) filed by DW Management Services, LLC, are DENIED AS MOOT.

On or before May 14, 2025, counsel shall confer and file a notice of the deadline for Philips to file a second amended master third-party complaint, which shall not be later than June 30, 2025.

On or before May 21, 2025, Philips' counsel shall submit a notice listing all cases directly filed in this court pursuant to PTO #28(b) (except those for which this court is the intended home court of original filing or which were voluntarily dismissed or settled) and shall

contact plaintiffs' counsel for all such cases about the need to modify PTO #28(b) to address the issues relating to "remand" versus "transfer." On or before June 9, 2025, defendants and any interested plaintiff may file a brief addressing whether PTO #28(b) should be modified and, if so, what modifications are appropriate. After review of those filings, the court may set a hearing or status conference to discuss the next steps.

BY THE COURT:

/s/ Joy Flowers Conti  
Joy Flowers Conti  
Senior United States District Court Judge